

**REMARKS**

Applicants have amended claims 1-18 to overcome the objection that they fail to comply with the enablement requirement. Claims 1-18 have been amended to no longer  
5 use cookies in a fashion that they are currently not capable of performing. Furthermore, Applicants have also amended claims 1, 9 and 17 to overcome the indefinite objection by the Examiner for failing to particularly point out and distinctly claim the subject matter which the  
10 Applicants regard as the invention. Claims 1, 9 and 17 now clearly detail what a positive indication means. In addition, the Examiner has objected to the title of the invention for being imprecise. Applicants have amended the title of the invention to clearly indicate the invention of  
15 which the claims are directed. Applicants believe that the forgoing amendments and the comments that follow will convince the Examiner that the rejections and objections in the April 19, 2004 Office Action have been overcome and should be withdrawn.

I. **THE EXAMINER'S OBJECTIONS**

The Examiner objected to claims 1, 9, and 17 under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner states that these are unclear in the meaning of  
5 the words "positive" and "negative" as used in the claims.

II. **THE EXAMINER'S REJECTIONS**

The Examiner rejected claims 1-18 under 35 U.S.C § 112, first paragraph as failing to comply with the enablement requirement. The Examiner stated that the  
10 applicants fail to teach

"the detail of reading the cookie residing in a client computer and to take different courses of action depending on the content of the cookie. Specifically, Applicants fail to teach the special steps taken by a  
15 second website's program to read the cookie stored in the user's computer and to determine the content of the cookie."

The Examiner bases this objection on the argument that  
20 cookies "can only be read and modified by an object in the valid domain and path defined in the cookie when it was created."

III. **THE EXAMINER'S OBJECTION TO THE SPECIFICATION**

The Examiner has objected to the title of the  
25 invention for being imprecise. The Examiner states that the title fails to clearly indicate "the invention to which the claim are directed."

IV. THE EXAMINER'S OBJECTIONS AND REJECTIONS SHOULD BE  
WITHDRAWN

A. CLAIM OBJECTIONS

5       The Applicants respectfully submit that the Examiner's  
objections should be withdrawn in view of the foregoing  
amendments to independent claims 1, 9, and 17. The Office  
Action states that as previously written claims 1, 9 and 17  
are unclear as to what is meant by "positive" and  
10 "negative" determinations. Specifically, the Examiner  
states the claims are unclear as to if "positive" and  
"negative" refer to whether the user already possesses the  
product or service. To clarify what is meant, Applicants  
have removed reference to positive and negative  
15 determinations and replaced them with a "positive  
indication." A positive indication, as detailed in the  
claims, indicates that a user already possesses the product  
or service being checked. When the indication is not  
"positive" (i.e., it has not determined positively that the  
20 user possesses the product or service being checked) the  
user is then offered the product or service.

B. CLAIM REJECTIONS

The Office Action rejected claims 1-18 under 35 U.S.C  
§ 112, first paragraph as failing to comply with the  
25 enablement requirement. The Examiner supports this

objection by arguing that by design cookies can only be read and modified by a Web site falling under the domain that first created them. Applicants agree with the Examiner that as currently designed cookies can only be read and modified by the Web Site that first created the cookie. To overcome this limitation, claims 1-18 have been amended to use "blocks of data" in a unique fashion. These "blocks of data" function in much the same way as cookies yet unlike cookies are not limited to being read and modified only by the Web Site that first created them. Applicants argue that creating and implementing these "blocks of data" would be obvious to one skilled in the relevant arts. The purpose of these files would be similar to cookies, except they would be sharable. These files could be used in conjunction with cookies as they are currently designed or they could represent future designs of cookies that are sharable or at least partly sharable.

#### C. REJECTION OF TITLE

The Office Action has objected to the title of the invention for failing to clearly indicate the invention to which the claims are directed. Applicants have submitted a new title to overcome this objection.

In light of the foregoing amendments and remarks, applicants submit that the present application is now in condition for allowance. No new matter has been added.

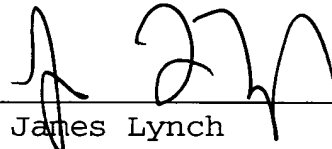
**CONCLUSION**

Applicants submit that all pending claims represent a patentable contribution to the art and are in condition for allowance. Early and favorable action is accordingly  
5 solicited.

Respectfully submitted,

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Date: 10/29/01

A handwritten signature in black ink, appearing to read 'James Lynch', written over a horizontal line.

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